

Notice of Allowability

Application No.

10/685,455

Applicant(s)

LAPSTUN ET AL.

Examiner

Art Unit

Yogesh C. Garg

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to 4/4/05 & 2/17/2005.
2. ☒ The allowed claim(s) is/are 1-15, 18-31, 34 and 35.
3. ☒ The drawings filed on 16 October 2003 are accepted by the Examiner.
4. ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some* c) ☐ None of the:
- ☐ Certified copies of the priority documents have been received.
 - ☒ Certified copies of the priority documents have been received in Application No. 09608022.
 - ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).


* Certified copies not received: _____

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.
THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

5. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
6. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
- (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
- 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____
- (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
7. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

- ☒ Notice of References Cited (PTO-892)
- ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- ☒ Information Disclosure Statements (PTO-1449 or PTO/SB/08), Paper No./Mail Date 1/16/2003 & 1/31/2005
- ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material
- ☐ Notice of Informal Patent Application (PTO-152)
- ☐ Interview Summary (PTO-413), Paper No./Mail Date _____
- ☐ Examiner's Amendment/Comment
- ☒ Examiner's Statement of Reasons for Allowance
- ☐ Other _____


Y.C. GARG
PRIMARY EX.

DETAILED ACTION

Continued Examination Under 37 CFR 1.114

1. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 4/4/2005 has been entered.

2. The applicant's amendment received on 2/17/2005 along with RCE, as noted above, is now entered and acknowledged. Claims 1 and 22 have been amended. Claims 16-17 and 32-33 have been canceled. Currently claims 1-15, 18-31, and 34-35 are pending for examination. **Since copies of the amendment received is not clear, the applicant is requested to send a clear copy either by fax or mail at the earliest.**

Drawings

3. The drawings filed on 10/16/2003 are acceptable.

Allowable Subject Matter

4. Claims 1-15, 18-31, and 34-35 are allowed. Claims 1 and 22 are independent. Claims 2-15, 18-21 and 23-31 and 34-35 are dependencies of claims 1 and 22 respectively.

Reasons for Allowance

5. The following is an examiner's statement of reasons for allowance:

Claims 1 and 22

The prior art of record before 6/30/1999 [Instant application claims priority to this date] neither anticipates nor fairly and reasonably teaches a method and a system of enabling an auction buyer to submit a bid, wherein the steps comprising, inter alia, providing the auction buyer with a printed paper form containing visible information relating to a bid transaction, and also including coded data indicative of at least one parameter of the bid transaction and of a plurality of reference points of the form, the coded data identifying a unique location of each of the reference points relative to the form; wherein the visible information and the invisible coded data are printed simultaneously and wherein at the time of printing a computer system associates the type and spatial extent of the coded data with the spatial extent of at least some visible information; receiving, in the computer system, data from a sensing device regarding

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said at least one parameter and regarding movement of the sensing device relative to the form and interpreting, in the computer system, said movement of the sensing device as it relates to said at least one parameter (see claims 1 and 22).

Claims 2-15, 18-21 and 23-31 and 34-35.

The reasons of allowance for all the dependent claims 2-15, 18-21, 23-31, and 34-35 are same as applicable for the independent claims 1 and 22.

6. Applicant's remarks in the Remarks, see page 9, submitted on 2/17/2005 are compelling and commensurate with the original disclosure for allowing the above-cited claims: " *Support for the present amendments is found throughout the specification as originally filed. For example, the substantially simultaneous printing of visible inks and invisible infrared inks is found in the specification as filed at page 26, lines 6-8: "This printer simultaneously prints cyan, magenta, yellow, black, and infrared inks as well as paper conditioner and ink fixative." Further, support for the limitation concerning the association is the computer system of the spatial extent of the visible information and the invisible coded data is found in the specification as filed at page 12, lines 411: "The netpage consists of graphic data 2 printed using visible ink and coded data 3 printed as a collection of tags 4 using invisible ink. The corresponding page description S, stored on the netpage network describes the individual elements of the netpage. In particular, it describes the type and spatial extent (zone) of each interactive element (i.e. text, field or button in the example), to allow the netpage system to correctly interpret input via the netpage: The submit button 6, for example, has a zone 7 which corresponds to the spatial extent of the corresponding graphic 8." The Applicants assert that the rejections of the dependent claims are now moot in light of the above amendments to the independent claims. Thus, the Applicants believe that the present application is now in condition for allowance. Reconsideration and allowance of the application is courteously solicited.* "

7. Discussion of most relevant prior art:

The following references have been identified as most relevant prior art to the claimed invention(s).

The most closely applicable prior art of record is referred to in the Final action mailed on 1/25/2005, that is Wolff et al. (US Patent 6,081,261), in view of Patterson, Jr. et al. (US Patent 5,797,002), in view of Bennet et al. (US Patent 5,051,736) and in view of Official notice. However, Wolff et al. (US Patent 6,081,261), in view of Patterson, Jr. et al. (US Patent 5,797,002), in view of Bennet et al. (US Patent 5,051,736) and in view of Official notice fails to render obvious the application's above-mentioned underlined unique features(s) for claims 1-15, 18-31, and 34-35, see Applicant's arguments, filed on 2/17/2005, on page 9, lines 1-10

" Wolff et al. cannot disclose or suggest the above limitation because the spatial extent of the coded data of Wolff et al. is only obtained through use of position-indicating gyroscope accelerometers. Patterson Jr. et al. cannot disclose or suggest the above limitation because the forms of Patterson Jr., et al are only electronic forms and are not printed. Bennet et al. cannot disclose or suggest the above limitation because the fact that the tablet including various layers (40, 42) of Bennet et al. is physically separate from any sheets including is physically separate from any sheets including .. visible information means that at the tie of printing visible information there cannot be any association between the spatial extent of the coded data on the layers (40,42) and the visible information "

8. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

(i) EP 0619563 A1 to Wright, (see at least Abstract) discloses a modular printer that includes a first supply of visible ink and a second supply of invisible ink, and a program for printing the value indicia with visible ink and an authentication code with invisible ink, but fails to anticipate or render obvious the application's above-mentioned underlined unique features(s).

(ii). US Patent 5,477, 012 to Sekendur discloses an apparatus and method for generating compute data from obtaining and outputting the position and/or movement of a moveable element in a data space, in two or three dimensions, such as might be used for determining the position and/or movement of a pen on or a paper, (see abstract), but fails to anticipate or render obvious the application's above-mentioned underlined unique features(s).

(iii) US Publication 2002/0020750 A1 to Dymetman et al. teaches position indicating invisible coded data that are pre-printed on paper sheets, where the sheets are then used by a user to display the data via a local or peripheral device, such as display of output from a digital page related to the visible or invisible coded data or operation upon information related to that data (see at least paragraphs 0072-0074).

(iv) Sincerbox, Glenn, " Technology offers new ways to print bad paper; [First/All Edition]"; The Plain Dealer; Cleveland; ohio; Feb.23, 1994; pg.7.B; extracted on Internet on 7/9/2005 discloses printing patterns on banknotes with infrared ink, that is invisible data which glows only when held up to a lightdi but fails to anticipate or render obvious the application's above-mentioned underlined unique features(s).

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(v) Moore, Bert; " Old technologies to the fore"; Automatic I.D. News v14n4 PP:48-49; Apr 1998; extracted from Dialog on 7/10/2005; #01611762, Dialog #15 discloses that OMR, Optical mark recognition Forms are preprinted by specialty printers using black for text and bar codes and invisible colors to show the location of the answer spaces but fails to anticipate or render obvious the application's above-mentioned underlined unique features(s).

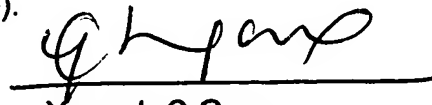
Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Yogesh C. Garg whose telephone number is 571-272-6756. The examiner can normally be reached on M-F(8:30-4:00).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Wynn Coggins can be reached on 571-272-7159. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).


Yogesh C Garg
Primary Examiner
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YCG
July 8, 2005